

09/598,147

-3-

5780-01-RG

REMARKS

Applicants wish to thank the examiner for her comments and suggested corrections.

Applicants submit herewith Figures 1-8 that were inadvertently omitted from the application as filed. Applicants submit that these figures add no new matter, but merely graphically represent what is described in detail in the specification. Applicants therefore respectfully request that these figures be entered in the application.

Applicants submit herewith an abstract on a separate sheet as requested by the examiner. No new matter has been added in as much as the abstract was a part of the original PCT application from which this application claims priority.

Applicants have submitted herewith a substitute Inventors, Yi Sun correcting the number of the priority document. The Oath/Declaration executed by Inventor Yi Sun correcting the number of the priority document is submitted herewith. The Oath/Declaration of the second inventor, Junhui Bian will be submitted upon execution of the corrected Oath/Declaration.

The claims have been objected to as having the incorrect punctuation of the sequence identifier. Applicants have amended the claims to correct this incorrect punctuation. Applicants respectfully request that the objection to the claims be withdrawn.

Rejection under 35 U.S.C. § 112

Claim 4 has been rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter not described in the specification in such a way as to enable one of skill in the art to make and/or to use the invention. Applicants respectfully traverse this rejection and request reconsideration. The application clearly states that concatamers of certain DNA sequences are useful and describe how to make such concatamers. The sequence motif which is concatenated in claim 4 is clearly shown throughout the specification and is noted to be an important motif for the p53 binding site. While not specifically described in detail, this motif, as well as how to make and use the concatenated p53 binding site motifs is described throughout the specification.

09/508,147

-4-

5780-01-RG

Applicants respectfully request that the examiner reconsider and withdraw this rejection of claim 4.

**Rejection under 35 U.S.C. § 102 (b)**

Claims 2 and 3 stand rejected under 35 U.S.C. § 102 (b) as anticipated by Bian et al (Carcinogenesis, vol. 17, no. 12, pages 2559-2562, 1996). 35 U.S.C. § 102 (b) requires that the invention be described in a printed publication . . . more than one year prior to the date of application for the patent in the United states. This article was published in December 1996, less than a year prior to the date of application for the present patent in the United States. This publication, by the inventors of the instant patent, should thus be withdrawn from consideration against claims 2 and 3.

Claim 3 is rejected as anticipated by Draper et al. (U.S. Patent No. 5,248,670) alleging that sequence set forth in SEQ ID NO: 10 is taught be Draper with 100 % identity. Applicants respectfully request that the Examiner point out more clearly the passage in Draper that sets forth this sequence. Nowhere in Draper is there taught or suggested a sequence that binds to the concensus p53 DNA binding site. Applicants respectfully request that the examiner reconsider and withdraw this rejection of claim 3.

**Conclusion**

For the reasons set forth above, applicants respectfully request that the claims are now in condition for allowance and request early notice to that effect.

Applicants respectfully request that the period for response be extended three months to and including June 19, 2002. Please charge the three-month extension fee (large entry), and any additional fees or credits, to Deposit Account number 23-0455.

Finally, the undersigned notes that subsequent correspondence should be addressed to:

Rosanne Goodman  
Pfizer Patent Department  
2800 Plymouth Road  
Ann Arbor, MI 48105  
(734-622-4182).

09/508,147

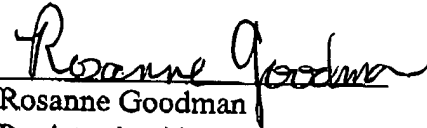
-5-

5780-01-RG

Dated:

6/19/02

Respectfully submitted,



Rosanne Goodman

Registration No. 52,534

Patent Department

Warner-Lambert Company

2800 Plymouth Road

Ann Arbor, MI 48105

Tel: (734) 622-4182

Fax: (734) 622-1553

09/508,147

-6-

5780-01-RG

**VERSION WITH MARKINGS TO SHOW CHANGES MADE – DO NOT ENTERS****IN THE CLAIMS:**

2. An isolated DNA fragment comprising the sequence  
GGGCTTGCTTGAACAGGGTC (SEQ ID [NO. 8]NO: 8).
3. An isolated DNA fragment comprising the sequence CTTGCTTGAACAGG  
(SEQ ID [NO. 10]NO: 10).
4. An isolated DNA fragment comprising the sequence  
GGGCTTGCTTGGGCTTGCTT (SEQ ID [NO. 23]NO: 23).